

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(_____ DIVISION)

UNITED STATES OF AMERICA, ex rel.,
MICHAEL K. DRAKEFORD, M.D.,

Plaintiff/Petitioner/USA,

TUOMEY d/b/a TUOMEY HEALTHCARE SYSTEM, INC.

Defendant/Respondent.

Case No. 3:05-CV-2858-MJP

**Motion
in Support of
Pro Hac Vice Application**

The undersigned local counsel hereby moves, together with the attached Application and Affidavit, that Lori-Ann S. Bellan be admitted *pro hac vice* in the above-captioned case as associate counsel. As local counsel, I understand that:

1. I will personally sign and include my District of South Carolina federal bar attorney identification number on each pleading, motion, discovery procedure, or other document that I serve or file in this court; and
2. All pleadings and other documents that I file in this case will contain my name, firm name, address, and phone number and those of my associate counsel admitted *pro hac vice*; and
3. Service of all pleadings and notices as required shall be sufficient if served upon me, and it is my responsibility to serve my associate counsel admitted *pro hac vice*; and
4. Unless excused by the court, I will be present at all pretrial conferences, hearings, and trials and may attend discovery proceedings. I will be prepared to actively participate if necessary.

5. Certification of Consultation (Local Civil Rule 7.02).

- ☒ Prior to filing this Motion, I conferred with opposing counsel who has indicated the following position as to this Motion: ☐ will likely oppose; ☒ does not intend to oppose
- ☐ Prior to filing this Motion, I attempted to confer with opposing counsel but was unable to do so for the following reason(s):

- ☐ No duty of consultation is required because the opposing party is proceeding pro se.

Law Offices of Noah M. Hicks II, LLC
Firm Name

1426 Richland Street P.O. Box 7996
Street Address or Post Office Box

Columbia, South Carolina 29202 29201
City, State, Zip Code
(803) 708-4842

Telephone Number
chicks@nmhlawfirm.com
E-Mail Address

Noah M. Hicks
Name of Local Counsel

Sl Noah M Hicks II
Signature of Local Counsel

Local Counsel for the Kim Saccone, Douglas Cardinal

District of South Carolina
Federal Bar Number 9743

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
(COLUMBIA DIVISION)

UNITED STATES OF AMERICA, et al., MICHAEL K. DRAKEFORD, M.D.

Plaintiff/Petitioner/USA,

Case No. 3:05-CV-2858-MJP

v.

TUOMEY d/b/a TUOMEY HEALTHCARE SYSTEM, INC.,

Application/Affidavit for
Pro Hac Vice Admission

Defendant/Respondent.

- (1) Name. Lori-Ann S. Bellan
First Middle Last
- (2) Residence. I reside in the following state: Maryland
If a South Carolina resident, indicate months/years of residence: _____
- (3) Business Address. I am an attorney and practice law under the name of or as a member of the following firm:
- | | | |
|-------------------|--|---|
| Firm name: | <u>Fulbright & Jaworski L.L.P.</u> | |
| Mailing address: | <u>801 Pennsylvania Ave., NW</u> | <u>City/State/Zip: Washington, D.C. 20004</u> |
| Telephone number: | <u>202-662-4714</u> | |
| Facsimile number: | <u>202-662-4643</u> | |
| E-mail address: | <u>lbellan@fulbright.com</u> | |
- (Application will not be considered without an e-mail address to receive electronic notification.)
- (4) Jurisdiction of this Court. I, by execution of this Application and Affidavit, consent and agree to comply with the applicable statutes, laws, and rules of the State of South Carolina, with all applicable federal statutes, laws, and rules, including Local Rules of the United States District Court for the District of South Carolina (particularly, Local Civil Rule 83.L08 and/or Local Criminal Rule 57.L08). I consent to the jurisdiction of the United States District Court for the District of South Carolina in all matters of attorney conduct.¹
- (5) Regular Practice of Law. I am a member in good standing of the bar of the highest court of the District of Columbia or the State of _____ where I regularly practice law. **Attached is my certificate of good standing.**
- (6) Additional Bar Membership. I have been admitted to practice before the following courts: (List all of the courts Applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.) By signing this Affidavit, I certify that I am a member in good standing of each of the listed bars unless otherwise noted.

¹ This District maintains a web site (www.scd.uscourts.gov) from which the federal and local rules of procedure and related materials may be obtained.

| Court | Date Admitted | Good Standing |
|------------------------------|-------------------|---|
| Court of Appeals of Maryland | December 17, 1998 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- (7) Pending Disciplinary Matters. Are you presently the subject of any formal suspension or disbarment proceedings, and have you been notified by any disciplinary agency of the initiation of formal procedures? ☐ Yes ☒ No
(If "yes," give particulars, such as jurisdiction, court, date, grounds. Information to comply with this paragraph may be provided *in camera* but that fact shall be revealed below.)
- _____

- (8) Curtailement of Prior *Pro Hac Vice* Admissions. Have you ever had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked?
☐ Yes ☒ No
(If "yes," give particulars, such as date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation.)
- _____

- (9) Sanctions. Have you ever had any certificate or privilege to appear and practice before any judicial or administrative body suspended or revoked, or received a public reprimand or greater sanction?
☐ Yes ☒ No
(If "yes," give particulars, e.g., judicial or administrative body, date of suspension, and reinstatement.)
- _____

- (10) Criminal Sanctions. Have you ever been convicted of a felony under the laws of the District of Columbia or of any State or under the laws of the United States?
☐ Yes ☒ No
(If "yes," give particulars, such as date, court, judge, circumstances, and ultimate disposition.)
- _____

- (11) Present and Previous *Pro Hac Vice* in this Court. Have you, within the last ten (10) years, filed an application to appear *pro hac vice* in the United States District Court for the District of South Carolina or another court in the state of South Carolina?
☐ Yes ☒ No
(If "yes," give court, case name, docket number, and status of litigation, year of application, local counsel of record in each case, and state whether application is pending or was granted.) Attach additional pages if necessary.
- _____

- (12) Designated Local Counsel. Local counsel of record associated with Applicant in this case is:


| | |
|------------------------------------|--------------------------------------|
| Attorney Name: | Noah M. Hicks |
| Firm Name: | Law Offices of Noah M. Hicks II, LLC |
| Street Address or Post Office Box: | 1426 Richland Street |
| City, State, and Zip Code: | Columbia, South Carolina 29202 |
| Telephone Number: | (803) 708-4842 |
| E-Mail Address: | chicks@nmhlawfirm.com |

I understand that local counsel of record is required to: (1) personally sign each pleading, motion, discovery procedure, or other document served or filed in this Court; (2) accept service of all pleadings and notices as required on behalf of all counsel for the party represented; (3) be present at all pretrial conferences, hearings and trials, unless excused by the Court; (4) be prepared to participate actively as may be necessary; and (5) assure compliance with Local Civil Rules 83.I.04, 83.I.05, and 83.I.06 or Local Criminal Rules 57.I.04, 57.I.05, and 57.I.06 as appropriate. Local counsel of record may attend discovery proceedings.

- (13) Associated Counsel. In addition to local counsel designated above, the following counsel are also associated with the undersigned in this case.
Frederick Robinson
- (14) Application Fee. I affirm that the application fee of two hundred and fifty dollars (\$250) has been paid in accordance with Local Civil Rule 83.I.05 or Local Criminal Rule 57.I.05 or paid herewith.
- (15) Electronic Notification. By submitting this application, I consent to electronic notification.
- (16) Represented Party/Parties. I seek to represent the following party/parties:
Kim Saccone
Douglas Cardinal


 Signature of Applicant

Sworn to and subscribed before me
 this 24th day of February 2010.


 A Notary Public
 of the State of District of Columbia

My Commission expires: 1-1-2013



District of Columbia Court of Appeals
Committee on Admissions
430 E Street, N.W. — Room 123
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

LORI-ANN S. BELLAN

was on the 4TH day of JUNE, 1999
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on
February 24, 2010.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*
Deputy Clerk